

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID GARCIA SANCHEZ,

Plaintiff,

v.

GRANT COUNTY JAIL,

Defendant.

NO: CV-11-5151-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION IN PART,
REVOKING *IN FORMA PAUPERIS*
STATUS AND DISMISSING
COMPLAINT

Magistrate Judge Imbrogno filed a Report and Recommendation on February 29, 2012, recommending Mr. Sanchez's *in forma pauperis* status be revoked. Mr. Sanchez had been release from incarceration and he failed to either pay the full filing fee or to complete and file a new financial affidavit as required by 28 U.S.C. § 1915(a)(1). In addition, Magistrate Judge Imbrogno recommended the Complaint, challenging the loss of property at the Grant County Jail, be dismissed for failure to state a claim upon which relief may be granted. *See Hudson v. Palmer*, 468 U.S. 517, 533 (1984); *Parratt v. Taylor*, 451 U.S. 527, 544 (1981).

1 Mr. Sanchez has filed no objections and has filed nothing further in this
2 action. The Court, therefore, **ADOPTS** the Report and Recommendation to the
3 extent it revokes Plaintiff's *in forma pauperis* status. In light of Plaintiff's failure to
4 comply with the filing fee requirements for this action under 28 U.S.C. §§ 1914
5 and 1915(a)(1), **IT IS ORDERED** this action is **DISMISSED without prejudice**.
6 The Court, finds this type of dismissal adequate to dispose of this matter and
7 declines to dismiss pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b)(1), which
8 might impose restrictions on future filings under 28 U.S.C. § 1915(g).

9 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
10 Order, enter judgment, forward copies to Plaintiff at his last known address, and
11 close the file. The Court certifies any appeal of this dismissal would not be taken
12 in good faith.

13 **DATED** this 21st day of March 2012.

14
15 s/ Rosanna Malouf Peterson
16 ROSANNA MALOUF PETERSON
17 Chief United States District Court Judge
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